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REMARKS

Claims 1-7, 9, 11-20, 22-27, and 34-38 were previously presented. Claims 8, 10, and 21 are currently amended. Claims 28-33, 39-53 are canceled. Accordingly, claims 1-27, and 34-38 are pending examination.

Rejection of Claims 1 and 34 Under 35 USC §103

Independent Claims 1 and 34 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent number 6,001,503 (Hercamp) in view of U.S. Patent number 4,476,203 (Robert).

Hercamp teaches a battery separator envelope having a corrugated border along the lateral edges of the separator envelope. Robert teaches an epoxy line configured to prevent active material from escaping from a positive plate as disclosed at C2, L1 and also at C2, L12. There is nothing in Hercamp that suggests that the electrode plate of Hercamp is associated with an escaping active material. For this reason alone, an inventor reviewing Hercamp and Robert would not be motivated to modify the separator of Hercamp with the Epoxy line of Robert.

Additionally, Robert reports that the "deterioration of the side areas could be reduced by **surrounding** the positive plate with" (emphasis added) the epoxy line at C1, L66-68. However, the corrugated border of Hercamp does not surround the electrode plate. In particular, the top of the Hercamp's separator is open as disclosed in Figures 2, 3, and C2, L36. As a result, replacing the corrugated border of Hercamp with Robert's epoxy line provides an epoxy line that does not surround an electrode plate. Since the epoxy line does not surround the electrode, the active material would be free to escape from the electrode in direct contrast to the purpose of the epoxy line set forth in Robert. As a result, the epoxy line would not be providing the function described in Robert. Since modification of Hercamp with Robert's epoxy line would not permit Robert's epoxy line to function as described, an inventor reviewing Hercamp and Robert would not be motivated to modify the separator of Hercamp with the Epoxy line of Robert.

Each of the above reasons alone illustrates that there is no motivation for combining Hercamp and Roberts. However, it becomes more clear that there is no motivation to combine the cited reference when these reasons are considered together.

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Since there is no motivation to combine the cited references, claims 1 and 34 are patentable over the combination of Hercamp and Robert.

Rejection of Claim 14 Under 35 USC §102(b)

Claim 14 stands rejected as being anticipated under 35 USC §102(b). Claim 14 specifies that that "the seams defining a perimeter of a pocket that surrounds the electrode." However, Hercamp teaches a separator that has an open top end as disclosed in Figures 2, 3, and C2, L36. As a result, Hercamp does not teach seams that define a perimeter of a pocket that surrounds an electrode. Since Hercamp does not teach every element of claim 14, claim 14 is patentable over Hercamp.

Rejection of Claim 23 Under 35 USC §102(b)

Claim 23 stands rejected as being anticipated under 35 USC §102(b). Claim 23 specifies "a tab opening extending through the tab and being open to an edge of the tab." Since Hercamp does not teach a tab opening extending through the tab and being open to an edge of the tab, Hercamp does not teach every element of claim 23 and does not anticipate claim 23.

Rejection of Claims 1-13, 15-22, 24-27, and 35-38

Since claims 2-13, 15-22, 24-27, and 35-38 each depends from an Independent claim and each of the independent claims is believed to be in condition for allowance, these claims are also believed to be in condition for allowance.

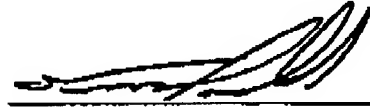
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CONCLUSION

The Examiner is encouraged to telephone or e-mail the undersigned with any questions.



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